

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT CHATTANOOGA**

CHRISTOPHER A. HUGHES,)	
)	
Plaintiff,)	Case No.
)	
v.)	
)	
REMINGTON ARMS COMPANY, LLC,)	
)	
Defendant.)	

NOTICE OF REMOVAL

Defendant, REMINGTON ARMS COMPANY, LLC ("Remington"), by and through its undersigned counsel, pursuant to 28 U.S.C. §§ 1332, 1441 and 1446, hereby notifies this Court that it is removing the above-captioned action currently pending in the Circuit Court of Bledsoe County, State of Tennessee, to the United States District Court for the Eastern District of Tennessee. In support, Defendant states as follows:

1. On May 19, 2021, Plaintiff commenced this action in the Circuit Court of Bledsoe County, State of Tennessee, styled *CHRISTOPHER A. HUGHES v. REMINGTON ARMS COMPANY, LLC*, Docket No. 5859. (A copy of the Plaintiff's Complaint is attached hereto as Exhibit 1).

2. Remington was served with summons and complaint through its registered agent on July 13, 2021. (The Alias Summons, Summons Return, and Affidavit of Service are attached hereto as Exhibit 2.) This Notice of Removal is therefore timely filed within thirty days after Remington was served with a copy of the Complaint. *See* 28 U.S.C. § 1446(b).

3. The United States District Court for the Eastern District of Tennessee at Chattanooga is the federal judicial district encompassing Bledsoe County, Tennessee. *See* 28 U.S.C. § 123. Therefore, the action may be removed to this Court pursuant to 28 U.S.C. § 1441(a).

4. Remington's basis for removal to federal court is diversity jurisdiction under 28 U.S.C. § 1332, because: (1) there is complete diversity of citizenship between Plaintiff, on the one hand, and Remington, on the other hand; and (2) the amount in controversy, exclusive of interest and costs, exceeds \$75,000.00. (*See* Complaint, Exhibit 1 at p. 34, seeking judgment against Remington "in the amount of \$3,000,000.00, plus interest and costs"). Plaintiff's claim for damages therefore exceeds the amount required for diversity jurisdiction pursuant to 28 U.S.C. § 1332.

5. Remington is a Delaware limited liability company with its principal place of business in Alabama. Remington's sole member is FGI Operating Company, LLC ("FGI Operating"), a Delaware limited liability company with its principal place of business in Alabama. FGI Operating's sole member is FGI Holding Company, LLC ("FGI Holding"), a Delaware limited liability company with its principal place of business in Alabama. FGI Holding's sole member is Remington Outdoor Company, Inc., a Delaware corporation with its principal place of business in Alabama. Thus, for purposes of federal diversity jurisdiction, Remington is a citizen of Delaware and Alabama.

6. According to the allegations of the Complaint, the Plaintiff is a citizen of Tennessee. (*See* Complaint, Exhibit 1 at Par. 10). Therefore, complete diversity of citizenship exists in that Plaintiff is not a citizen of the same state as Remington. *See* 28 U.S.C. § 1332(a).

7. Because the amount in controversy in this civil action exceeds \$75,000.00, exclusive of interest and costs, and is between citizens of different states, this Court has jurisdiction over this case, under 28 U.S.C. § 1332(a).

8. Pursuant to 28 U.S.C. § 1446(a), a copy of all process, pleadings and orders served upon Remington in the state court action (consisting of the Complaint, the Alias Summons, the Summons Return, and the Affidavit of Service) are attached hereto as Exhibits 1 and 2.

9. As required by Local Rule 3.1, a completed civil cover sheet is attached hereto as Exhibit 3.

10. As required by 28 U.S.C. § 1446(d), prompt written notice of this Notice of Removal is being sent to Plaintiff through his counsel, and to the Clerk of the Circuit Court for Bledsoe County, State of Tennessee.

11. By this Notice of Removal, Remington is not waiving and expressly reserves its right to contest personal jurisdiction, venue, and the sufficiency of the Complaint, and its right to assert any defense available to it under any state or federal law or statute.

12. Remington requests a jury trial on all issues so triable.

WHEREFORE, Defendant, REMINGTON ARMS COMPANY, LLC respectfully gives notice that this action, pending against it in the Circuit Court of Bledsoe County, State of Tennessee, is removed to the United States District Court for the Eastern District of Tennessee at Chattanooga, pursuant to 28 U.S.C. §§ 1332, 1441, and 1446.

Dated: August 12, 2021

Respectfully submitted,

/s/ F. Laurens Brock
F. Laurens Brock (BPR No. 017666)
ADAMS AND REESE, LLP
424 Church St., Suite 2700
Nashville, TN 37219
(615) 259-1450
larry.brock@arlaw.com

**ATTORNEY FOR DEFENDANT
REMINGTON ARMS COMPANY, LLC**

CERTIFICATE OF SERVICE

I certify that on August 12, 2021, I have electronically filed the foregoing Notice of Removal with the Clerk of the Court using the ECF system and served plaintiff's counsel listed below through U.S. Mail and email service:

J. Christopher Clem
SAMPLES, JENNINGS, CLEM & FIELDS, P.L.L.C.
130 Jordan Drive
Chattanooga, Tennessee 37421
Telephone: (423) 892-2006
cclem@sampleslaw.com

/s/ F. Laurens Brock
F. Laurens Brock